



65-28-04

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AMENDMENT TRANSMITTAL LETTER			Docket No. DFN-038
Application No. 10/066,443-Conf. #3678	Filing Date February 5, 2002	Examiner FREDMAN, Jeffrey Norman	Art Unit 1634

Applicant(s): Bruce M. SPIEGELMAN *et al.*

Invention: METHODS AND COMPOSITIONS FOR MODULATING GLUCONEOGENESIS USING PGC-1

TO THE COMMISSIONER FOR PATENTS

Transmitted herewith is an amendment in the above-identified application.  
The fee has been calculated and is transmitted as shown below.

CLAIMS AS AMENDED					
	Claims Remaining After Amendment	Highest Number Previously Paid	Number Extra Claims Present	Rate	
Total Claims	78	- 77 =	1	x	9.00
Independent Claims	6	- 5 =	1	x	43.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					
Other fee (please specify): Extension for response within first month					55.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT:					107.00

- ☐ Large Entity
- ☒ Small Entity
- ☐ No additional fee is required for this amendment.
- ☒ Please charge Deposit Account No. 12-0080 in the amount of \$ 107.00.  
A duplicate copy of this sheet is enclosed.
- ☐ A check in the amount of \$ \_\_\_\_\_ to cover the filing fee is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 12-0080 as described below. A duplicate copy of this sheet is enclosed.

☒ Credit any overpayment.

☒ Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17.

Dated: May 26, 2004

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV378819414US, in an envelope addressed to: MS Amendment/Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: May 26, 2004

Signature: (DeAnn F. Smith)



Docket No.: DFN-038

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of: Spiegelman, *et al.*

Application No.: 10/066,443

Group Art Unit: 1635

Filed: February 5, 2002

Examiner: J. Fredman

For: Methods And Compositions For Modulating  
Gluconeogenesis Using PGC-1

MS Amendment  
Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**CERTIFICATION UNDER 37 CFR 1.10**

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May 26, 2004

Date of Signature and of Mail Deposit

By:

DeAnn F. Smith, Esq.  
Registration No. 36,683  
Attorney for Applicants

**AMENDMENT AND RESPONSE**

Dear Sir:

This communication is in response to the Office Action dated January 26, 2004.

Amendments to the claims begin on page 2 of this paper.

Remarks begin on page 11 of this paper.

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02 FC:2202 9.00 DA  
03 FC:2201 43.00 DA